

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CIVIL MINUTES

Date: February 18, 2014	Time: 16 minutes 2:27 p.m. to 2:43 p.m.	Judge: WILLIAM H. ORRICK
Case No.: 12-cv-06360-WHO and 11-cv-04494-WHO	Case Name: Lifescan, Inc. v. Shasta Technologies, LLC	

Attorney for Plaintiff: Eugene Gelernter (appearing personally) and Michael Timmons (appearing telephonically)

Attorney for Defendant: John Shaeffer, William Rudy, and Robert Andris

Deputy Clerk: Jean Davis

Court Reporter: FTR Recording

PROCEEDINGS

Claims construction schedule set as to the '247 and '862 patents. Court indicates that bifurcation to remain in place as well as stay as to the IPR of the '105 patent. Defendants may file a motion regarding the lack of viability of the '105 patent claim in this case as a result of the Federal Circuit's opinion.

Parties discuss issue of bifurcation and discovery. As new information appears to have come to light during the pendency of the proceedings, the filing of amended invalidity contentions is warranted, to be filed in compliance with the following schedule. (The parties may alter this schedule by stipulation; or if disputes arise as to the schedule, the parties may submit a joint 5-page letter to the Court outlining the disputes.)

Amended Invalidity Contentions:	March 7, 2014
Preliminary Claim Statement:	March 21, 2014
Joint Statement:	April 18, 2014
Discovery Cutoff:	May 16, 2014
Opening Claim Construction Brief:	May 23, 2014
Responsive Brief:	June 13, 2014
Reply Brief:	June 27, 2014

Tutorial set for **July 11, 2014 at 9:00 a.m.**

Claims Construction Hearing set for **July 18, 2014 at 9:00 a.m.**

The trial and remaining case management schedule for 3:11cv4494 will be set after the claims construction order issues. A separate case management schedule will not be imposed in Case 3:12cv6360 at this time, as litigation of the trademark issues is largely dependent upon the patent issues.